

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
NO. 4:17-CR-53-3BO

UNITED STATES OF AMERICA :
 :
 v. :
 :
 WILLIE FRANK JAMES AHERN :

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, pursuant to the entry of a plea of guilty by the defendant, Willie Frank James Ahern, on March 19, 2018, to violations of 21 U.S.C. §§ 841(a)(1) and 846, and further evidence of record and as presented by the Government, the Court finds that the following property is hereby forfeitable pursuant to 21 U.S.C. § 853, to wit:

A. One tract of land with all appurtenances and improvements thereto, legally described in Deed Book 607, Pages 213-215 of the Pamlico County Registry, North Carolina, and having the street address of 383 Park Avenue, Mesic, North Carolina, 28515, titled in the names of Willie Ahern and Candice Credle; and

B. \$14,075 in United States currency seized on May 14, 2017; and

WHEREAS, by virtue of said finding, the United States is now entitled to possession of said property pursuant to 21

U.S.C. § 853 and Fed. R. Crim. P. 32.2(b)(3);

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the Guilty Plea by the defendant, Willie Frank James Ahern, the United States is hereby authorized to seize the above-stated property, and it is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n), as allowed by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order is now final as to the defendant.


2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Preliminary Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

3. That pursuant to 21 U.S.C. § 853(n), the United States shall publish notice of this Order and of its intent to dispose of the property in such manner as the Attorney General or the Secretary of Treasury directs, by publishing and sending notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant, having or claiming any legal interest in the subject property must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

4. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853 and 28 U.S.C. § 2461(c), as required by Fed. R. Crim. P. 32.2(c)(2).

SO ORDERED. This 19 day of June, 2018.


TERRENCE W. BOYLE
United States District Judge